

RECEIVED

MAY 14 2004

MICHAEL R. MERZ
UNITED STATES MAGISTRATE JUDGE

Mr. G. S. Jones Jr.
#339-441 #2-Hse 2050
P.O. Box 788
Mansfield, Ohio 44901
5/12/04

Michael R. Mees
United States Magistrate Judge
Dayton, Ohio 45402

Dear Honorable Judge Mees,

At this time I am asking this Honorable Court to accept my Affidavit of 2-6-04 & to take the necessary proper steps to see that its properly put before this Honorable Court.

The issue before this court in the said matter above has been based upon 2 factors in making a final decision. #1, I truly believe that I have deeply Thwarted my present attorneys by ~'Complaining' to the court about their lack of communication with me & etc!

That their actions seem to be full of procrastinating & just going through the motions to get this case over with..

For a very good example of what I am speaking of doing through the motions. Mr. Mees took part in 2 sets of depositions on April 6, 2004 - in his own words he clearly stated he was not fully prepared. Yet was he willing to challenge statements made by Prosecutor Mark Piepmeyer & Seth Tiege on material evidence

found in the prosecution files.

In fact a letter uncovered from the prosecution files addressed to Police Chief Mike Allen on May 25, 1995 by Hamilton County Chief Prosecutor Joseph T. Peters, show that Chief Allen was ordered by the Chief Prosecutor to cease his conduct with the Media concerning the "facts" of this case... That letter was before, I was arrested & put on trial. It clearly shows that Chief Allen is not the imbecile The 2, prosecutors painted him out to be in their statements during the depositions - as well the language & within the letter offer an explanation for Chief Allen testimony during trial. See attached Letter & newspaper article #26, 27, 28,

#2, I feel because of the present "attitudes" of my lawyers wanting to focus on a issue I, rejected before & during the actual trial ~ as to who initiated the offer. I was not interested then & certainly not today concerning a plea." See trial transcripts pages 1977 "Nor was I interested in the issue a judge brought into the jury deliberation room Bible Scriptures to explain why this type of sentence was acceptable within our Christian beliefs.

Now, I feel due to the time tied up trying to develop these #2, issues above.... I have lost the opportunity to develop a clear record with the number of pieces of factual materials found in the prosecution files.

I have only been interested in making a clear showing

to this court that the Jury in this case was mislead with the facts & evidence by the prosecution & there is a strong possibility showing with factual materials found in the file & the Pendant was planted into the tool box of my car, on or after the 12th September 1994. By doing that I may be granted a New Trial & clear my name.

Since I do not see that happening now & I am tired of arguing with attorney's do, I ask this court to accept my affidavit of 2-6-04 at this time

Sincerely

Edward H Jones Jr

cc Mr. J. H. Owen
Mr. H. J. Meyer

5/12/04

Mr. E.H. Jones Jr.
 #339-441 2 Hse, 2050
 P.O. Box 788
 Mansfield, Ohio
 44901

4-27-2004

Dear Mr. Owen;

After reviewing the depositions of prosecutor Mark Piepmeyer and Seth Tieger, taken on April 6, 2004 by said counsel Gregory W. Meyers. The said transcripts of the depositions just arrived for my review on April 26, 2004 by U.S. Mail.

After carefully reviewing both of the above depositions I was totally disappointed in what I read and, the manner you continuously wanted to focus and, address ~~An~~ issue... I rejected before and, during the actual Trial. "I was not interested in plea negotiations or a plea bargain discussions then and, certainly not today or who initiated the offer." The records are clear, I Elwood H. Jones Jr. was not interested in any kind of plea.

So, my question is this, why didn't you take the opportunity to address factual materials found in the records with-held by the Blue Ash Police department and Prosecution Files uncovered.

A) Guest Questionnaires show there was a number of incidents reported by guests "There was someone trying to get into these rooms with a key during the time line Ms. Nathan arrived at the Hotel on September 2nd, 1994 at 4:00 P.M. into the time line her body was found on the floor of the Hotel room at 8:00 A.M. on September 3, 1994."

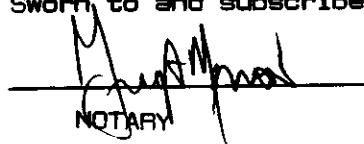
B) The two employee's statement given to Detective Ladd describing a dark complexion guy and a white guy with grey hair, leaving Ms. Nathans room upon hearing screams. One of the guys had a walkie talkie in his hand that morning.?

Please be advised you've made my decision easier therefore my Affidavit of February 6, 2004 submitted to the court, stands. So please notify Magistrate Judge Michael R. Merz within 10 working days that my decision is final and to accept my affidavit of 2-6-2004 as my final decision.!

Further Affiant Sayeth Nought


 Elwood H. Jones Jr.

Sworn to and subscribed to me this 29th day of April, 2004


 GREGORY A. MORROW
 NOTARY PUBLIC, STATE OF OHIO
 My Commission Expires Nov. 21, 2006

#24

JOSEPH T. DETERS
HAMILTON COUNTY PROSECUTING ATTORNEY

914 MAIN STREET
SUITE 200
CINCINNATI, OH 45202
PHONE: 513 632-8202
FAX: 513 632-5787
WRITER'S DIRECT DIAL NUMBER:
632-8555

May 25, 1995

*Chief Mike Allen
Blue Ash Police Department
4343 Cooper Road
Cincinnati OH 45242*

Dear Chief Allen:

I simply cannot believe what I have read in this morning's Cincinnati Enquirer.

Not notwithstanding at least two requests by this office that the Blue Ash Police Department and, in particular, you allow public information be disseminated by this office only, your comments in this article are troubling on two other fronts.

First, my office has yet to receive the testing from Cellmark Laboratories, Inc., which you base your remarks. It is unconscionable that we would read about them first through a newspaper article.

We have been in constant contact with the victim's family (including traveling to New York one day last fall) and have assured them we would keep them informed as soon as information becomes known to us. This office, along with the family, are now forced to learn of results through the media.

24

#27

Chief Mike Allen
July 6, 1995

Page 2

The second disturbing aspect of your refusal to follow our requests is your assessment of the case and prosecutorial merit. I have yet to see you in attendance or to inform you of the results of our interoffice discussions concerning the likelihood of success in this particular case. I would like to know by what authority you are commenting on when or if the Hamilton County Prosecutor's Office will proceed with this case.

Further, if I am the defense attorney for this suspect - you, Chief Allen, are my first witness. And here is my first question, "Chief, on May 25, 1995, you didn't believe you had enough evidence to charge my client. What major development has occurred since that date to make you change your mind and charge him?"

Your continuing inability to follow a reasonable request about this case has caused a difficult case to be reduced to one in which it is nearly impossible to proceed. The family of the victim, along with the Prosecutor's Office, has been forced to learn of key evidence findings through a newspaper.

And your analysis of this case has insured a defense attorney, even one fresh out of law school, with enough ammunition to blow an attempt at prosecution out of the water.

Again, I implore you to cease your conduct of chatting with the media concerning the facts of this case.

Respectfully,

Joseph T. Deters
Prosecuting Attorney

JTD:ljg

27

#28

adline: DNA tests no help in motel death Samples don't match
principal suspect

5/12/04

Date: May 25, 1995 Section: Metro
Edition: TriState
Page: C02 Word Count: 402
Author: SHEILA McLAUGHLIN

Text:

DNA evidence found in the hotel room where 67-year-old Rhoda Nathan was beaten to death last summer cannot be matched against a person police consider the prime suspect in the case.

"The DNA samples did nothing. I'm not sure what the problem was, but it was not able to identify our suspect," Blue Ash Police Chief Mike Allen said Wednesday.

The negative DNA tests did not rule out the suspect, however, he said. The suspect, whose name has not been released, has not been arrested or charged.

"It's no big secret; we identified the person who did it. But as far as getting a conviction, we're looking at all the pieces . . . If the DNA would have come back positive, would it make a conviction easier? Sure it would," he said.

Allen said detectives are checking a couple of other clues, but said, "it doesn't look good."

"We're at a point here where we're going to have to find something soon, or put it on the shelf until someone comes forward," he said.

Nathan, of Toms River, N.J., was attacked in Room 237 at Embassy Suites Hotel on Sept. 3, after two roommates left for breakfast at 7:30 a.m.

Nathan, who had two sons and four grandchildren, was in town to attend the bar mitzvah of her goddaughter's son. One of the roommates found Nathan's body upon returning at 8 a.m.

Nathan was attacked in the bathroom, possibly during a shower, and police think that robbery was the motive.

The DNA tests were done by Cellmark Industries in Germantown, Md. Cellmark is the same company that conducted DNA tests in the O.J. Simpson murder investigation.

Allen refused to describe the samples sent to Cellmark.

News of the negative DNA test was another searing blow to Nathan's brother-in-law, who wants the killer found.

"It hangs over our heads like clouds," Ira Nathan, of Flushing, N.Y., said, urging anyone with information about the death to come forward.

Ira Nathan said he can't forgive his sister-in-law's killer.

"I'm from the old school - an eye for an eye. Let him suffer his life for her life in a penal institution," he said.

"There was no reason this woman had to leave this earth like that. She was so good. She only did good things."

Copyright 1995 The Cincinnati Enquirer
Accession Number: CINC271790

#28